

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

SHEET METAL WORKERS NATIONAL
HEALTH FUND,

Plaintiff,

v.

AIR COMFORT ENGINEERING CO., a/k/a
ACECO,

Defendant.

Civil Action No. 3:08-0690

Judge Echols

Magistrate Judge Griffin

AGREED ORDER

Plaintiff has moved to cancel the show cause hearing presently set for September 28, 2009 and to enter an Agreed Order outlining a repayment plan agreed upon by the parties, and which will result in termination of this civil action.

It appearing to the satisfaction of the Court the parties have agreed Defendant is obligated to Plaintiff in the total sum of \$46,489.60 for contributions, interest, liquidated damages, and attorney's fees through June 2009; and, the parties have agreed upon a repayment plan to be personally guaranteed by Jan Cade whereby Defendant and Ms. Cade have agreed to pay c/o R. Jan Jennings, Branstetter, Stranch & Jennings, PLLC, 227 Second Avenue North, Nashville, TN 37201 the \$46,489.60 in minimum increments of \$2,000 per month, the first such payment due on October 15, 2009, with further payments due on the fifteenth day of each succeeding month until the \$46,489.60 is paid in full.

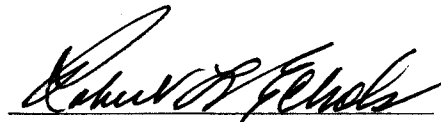
On or before February 1, 2010, Plaintiff will file a motion with the Court indicating if the Plaintiff seeks to ~~administratively close this action~~ ^{RESE} subject to a petition to reopen in the event Defendant and Ms. Cade do not adhere to the payment schedule.

This Order represents a Final Judgment in this case, and Defendant is liable to Plaintiff in the amount of \$46,489.60.


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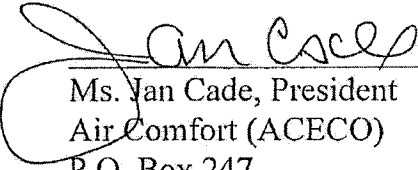
The show cause hearing set for September 28, 2009 is canceled.

IT IS SO ORDERED.


ROBERT L. ECHOLS
United States District Judge

APPROVED FOR ENTRY:


R. Jan Jennings, BPR No. 1536
Branstetter, Stranch & Jennings, PLLC
227 Second Avenue North
Nashville, TN 37201-1631
Tel.: (615) 254-8801


Ms. Jan Cade, President
Air Comfort (ACECO)
P.O. Box 247
Meridian, MS 39302


Jan Cade

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing has been served via United States First Class Mail with adequate postage affixed thereon to:

Air Comfort Engineering Co.
c/o Frank Taylor, Registered Agent
2124 Tom Bailey Drive East
Meridian, MS 39301

Ms. Jan Cade, President
Air Comfort (ACECO)
P.O. Box 247
Meridian, MS 39302

This 28th day of September, 2009.

s/R. Jan Jennings
R. Jan Jennings